

**FILED**

NOV 10 2011

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY PS DEPUTYUNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMAMARCUS D. Woodson, Plaintiff  
(Full Name)**CIV-11-1349** CASE NO.

(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT  
PURSUANT TO 42 U.S.C.  
§1983

\* Jury Demand \*

v.

① William Barlow ② Lisa Grizzle ③ Ken Williamson  
④ Brian Wideman ⑤ Becky Adams Defendant (s)  
⑥ Jo Cartwright ⑦ Kathy Miller ⑧ Counselor Lewis  
⑨ CCA Corporate ⑩ Damon Hinniger ⑪ Dr Richard  
⑫ Sgt Riddle ⑬ J.W. MARTIN ⑭ Robert Ezell  
⑮ Cole Goodson ⑯ Case Manager Carter, Et. All

\*\* All Defendants ARE being sued Individually. \*\*

1) Marcus D. Woodson, is a citizen of Oklahoma  
(Plaintiff) (State)  
who presently resides at 6888 E. 133rd Rd - Holdenville  
OK. 74848.  
(Mailing address or place of confinement)

2) Defendant William Barlow is a citizen of  
(Name of first defendant)  
Oklahoma, and is employed as  
(City, State)  
Unit Manager - Training Officer - Sort Team At the time the claim(s)  
(Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state law? Yes ☒ No ☐. If your answer is "Yes", briefly explain:

Jurisdiction is invoked under 28 U.S.C. 1343(A) 3, and 28 U.S. 1331  
CCA under contract with the Oklahoma Dept of Corrections,  
Headquartered in OK City Oklahoma.

3) Defendant Kathy Miller-Health Services Admin is a citizen of

(Name of second defendant)

Oklahoma

(City, State)

Health Services Administrator, BSN At the time the claim(s)

(Position and title, if any)

alleged in this complaint arose was this defendant acting under color of state law? Yes ☐ No ☐ If your answer is "Yes", briefly explain:

All defendants have acted and continue to act under color of state law at all times relevant to this complaint

(Use the back of this page to furnish the above information for additional defendants.) Additional defendants on back of this page.

4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983. (If you wish to assert jurisdiction under different or additional statutes, you may list them below.) Jurisdiction is invoked under 28 U.S.C. 1343 (A) 3 and 28 U.S. 1331. CCA is contracted through D.O.C

## B. NATURE OF THE CASE

1) Briefly state the background of your case. Unconstitutional Conditions of Confinement  
 Marcus Woodson, the plaintiff in this matter is an inmate at Davis Correctional Facility. (privately operated through its contract with ODOC) serving a sentence for Poss. of Contraband, and knowingly concealing stolen property. Since my arrival at DCF, DCF officials have deliberately punished and subjected offender Woodson to numerous deprivations without adequate due process of law. Officials punished Plaintiff maliciously and sadistically in a concerted effort to provoke the plaintiff to justify the disproportionate punishment. Officials then interfered with the grievance process by instructing the grievance coordinator to not let Plaintiff exhaust, knowing that if Plaintiff was to succeed in filing a grievance he would seek legal redress. So the official defendants subverted the grievance process by continuing to allege that the plaintiff failed to follow policy, then specifically imposed retaliatory punishment upon him by withholding plaintiff's legal documents, by suspending plaintiff's property and then holding plaintiff in D.I. well beyond his sanctioned period and failing to afford the plaintiff due process of law. Medical was deliberately indifferent to Plaintiff's back injury and unnecessarily delayed and denied the plaintiff treatment in an effort to maintain cost. Defendants intentionally disregarded plaintiff's submissions for medical assistance and caused plaintiff wanton and unnecessary infliction of pain. Defendants and other high-level officials are colluding in a continuing pattern of capable failures by severe deficiencies in staffing and supervision, and imposing cruel and unusual punishment upon the plaintiff by use of excessive force with threats of use of chemical agents. Officials then limited Plaintiff's property by withholding it in retaliation for Plaintiff's filing grievances. DCF defendants authorized a system to deprive Plaintiff of life liberty and property with the clear intent to violate due process, by maintaining offender Wood at Maximum security when his points are assessed as medium security. Plaintiff was deprived of his property without due process of law and prison officials deliberately and intentionally colluded to carry out the deprivation. Plaintiff was also subjected

Additional Defendant: Boyd Cartwright Filed 12/10/11 Page 2 of 16  
State of Oklahoma

- 3) Defendant Kathy Miller - Health Services Admin is a citizen of Oklahoma, and is employed as Health Services Administrator BSN At the time the claim(s) alleged in this complaint arose was this defendant acting under color of state law? Yes ☐ No ☐ If your answer is "Yes", briefly explain: All defendants have acted and continue to act under color of state law through their contract with the Oklahoma Dept of Corrections  
(Use the back of this page to furnish the above information for additional defendants.) Additional defendants on next page

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983. (If you wish to assert jurisdiction under different or additional statutes, you may list them below.) Jurisdiction is invoked under 28 U.S.C. 1343(A) 3 and 28 U.S. 1331 - (CPA is under contract with the Oklahoma Dept. of Corrections, Headquartered in Ok. City)  
B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

to excessive and harsh restrictive punishment that was significant and atypical, and denied the right to be heard before administrative action was taken against him. ~~Plaintiff~~ Plaintiff was held for prolonged periods of time in segregation behind a plexiglass shield and was not adequately notified of any reviews for his release and is maintained on maximum security limiting his freedom from restraint when plaintiff has a liberty interest in remaining free from the harsh conditions of maximum confinement. Plaintiff confinement on max is indefinite, and the defendants have refused to do proper and adequate reviews for plaintiff release to lower security even when the plaintiff has medium security points and never had maximum security points to warrant maximum security placement according to D.O.C. policy. Plaintiff is intentionally being held in level 1 status and that he has requested numerous times to be promoted, but officials continue to refuse to do so, and forced to live with violent offenders in 23-hour confinement when such an arrangement present confrontational and life endangerment issues, and defendants recklessly disregard plaintiff's request for single cell placement. Plaintiff's total conditions of confinement is unconstitutional and violates Plaintiff Civil Rights

Defendant #3 Sgt Riddle is being sued individually and is a citizen of the State of Oklahoma. Defendant Riddle is a Security Sgt and participated in all events "directly" as alleged to this defendant. Defendant Riddle was also grossly negligent in supervising his subordinates who committed wrong acts.

Defendant #4 Becky Adams is being sued individually, and is a citizen of the State of Oklahoma, and is employed at Davis Correctional Facility as a Grievance Coordinator. Defendant Adams, after being of the numerous policy and constitutional violations, through the Informal Resolution or Grievance process, failed to remedy the wrong, and colluded with the other defendant well after she had knowledge. She is being sued individually.

Defendant #5 Robert Ezell, is being sued individually. Mr Ezell is a citizen of the State of Oklahoma, and is employed by CCA and is the "Facility Head" of Davis Correctional Facility as its "Warden." Defendant Ezell was grossly negligent in supervising subordinates who committed these acts which he knew to be wrongful, even after he had knowledge of the wrong.

Defendant #6 Brian Wideman is being sued individually. Defendant Wideman is employed by CCA and a Davis Corr employee as its Chaplain, and is a resident of the State of Oklahoma.

Defendant #7 Damon Hininger is being sued individually. Defendant Hininger is the C.E.O. of Corrections Corp of America, based in Nashville Tennessee. Defendant Hininger created a policy, or custom under which unconstitutional practices occurred, or allowed the continuance of such unconstitutional policies, and or customs. Mr Hininger is a citizen of the State of Tennessee.

Defendant #8 J.W. Martin is being sued individually. Defendant ~~Martin~~ is employed by CCA, and is a Deputy Warden, and a resident of the State of Oklahoma, and directly participated in all acts directly as alleged by this ~~defendant~~ Plaintiff.

Defendant #9 Kesa Grizzle is being sued individually, and is a resident of the State of Oklahoma, and is employed by CCA as a Case Manager and participated in the unconstitutional acts as alleged by this Plaintiff.

Defendant #10 Dr. Richard is being sued individually and is a resident of the State of Oklahoma. Defendant Richard is a Contract Physician contracted by CCA as a provider of medical care to all offenders assigned to Davis Correctional Facility. Defendant Richard exhibited deliberate Indifference to the rights of the Plaintiff and failed to provide plaintiff with adequate medical care and fail to act on information indicating that unconstitutional acts were occurring.

Defendant #11 Case Manager Carter, is being sued individually, and is a resident of the State of Oklahoma, and is employed as a Case Manager. Defendant participated directly as alleged in the numerous unconstitutional violations.

Defendant #12 Sgt Williamson (90 Ken Williamson) is being sued individually, and is a resident of the State of Oklahoma and is employed as a ~~Maximum~~ Security Staff Sgt on the Maximum Yard at Davis Correctional Facility. This defendant participated directly in the acts alleged by this plaintiff and colluded with other defendants to carry out the illegal and unconstitutional acts.

Defendant #13 Corrections Corp of America, operating as a Private Entity is being sued individually. These defendants created a policy or custom under which unconstitutional practices occurred and was allowed to continue, and that conditions existed that were unconstitutional, and this defendant fail to act. CCA is headquartered in Nashville Tennessee.

Defendant #14 Jo Cartwright is being sued individually. Defendant Cartwright is employed by CCA as an Intake/Property officer and is a resident of the state of Oklahoma. Defendant Cartwright participated "directly" in the alleged unconstitutional violations and continued to act in this erroneous way even after she received information and had knowledge of her actions to be wrongful regarding the Plaintiff Property.

Defendant JUSTIN NEWIS, is being sued individually, and is a resident of the State of Oklahoma and is employed by CCA as a Correctional Counselor. Defendant Lewis participated directly in all acts as alleged by this Plaintiff. (6)

Defendant # (6) Cole Goodson, is being sued individually and is a citizen of the State of Oklahoma and is employed by CCA as a Correctional Caseworker. Defendant Goodson participated directly in each act as alleged by the Plaintiff.

Defendants (1) through (6), were acting under color of State law and continue to act under such at all times relevant to this complaint.

\* Defendant Ezell has since retired from CCA, however Warden Wilkerson has been assigned to replace him.

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## C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach up to two additional pages (8½" x 11") to explain any allegation or to list additional supporting facts.)

*Defendants Barlow, Riddle, CCA, Lewis, and Martin, CCA, Sgt. Williams*  
 confined the Plaintiff under harsh and extreme 23.5 hour lockdown  
 without affording the Plaintiff adequate review for release and that said  
 confinement was excessive and indefinite in violation of his 8th and 14th  
 Amendments Rights under the U.S. Constitution. Plaintiff further states that his confinement was  
 significant and atypical in both duration and degree, and the Plaintiff is assessed medium  
 custody. However is confined under conditions that impose a significant hardship upon him  
 within the correctional context. Plaintiff is isolated away from other human beings escorted around  
 in a black box that is used to punish maximum security offenders, and cause psychological damage  
 and a detrimental pathological effect, when such conditions are prolonged and indefinite.  
 Defendants are failing to adequately review the Plaintiff for release to medium security.

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and date. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

Plaintiff has medium security points, Plaintiff is being detained at maximum security in violation of D.O.C. policy and is being subjected to cruel and unusual punishment. Plaintiff is confined under conditions that amount to solitary confinement prohibited from human contact, held behind a plexiglass shield with the translot closed and not permitted cell to cell contact. Plaintiff has to exercise one hour a day in a small cage with nothing in it without a urinal, and the Plaintiff has a liberty when in avoiding indefinite confinement, where said confinement is punitive, no programs, and the rules are not spelled out, and SHU fatics are implemented against the General Population maximum offenders, including mace and chemical agents used in excessive amounts.

B) (1) Count II: Defendants Barlow, Lewis, Riddle, J.W. Martin, R. Ezell, CCA, Kathy Nij subjected the Plaintiff to Unconstitutional Conditions of Confinement, and restraint by holding the Plaintiff in punitive segregation well beyond his allotted time in violation of any 14th Amendment Rights to the U.S. Constitution by employing unconstitutional policies and practices and violating Plaintiff's 8th Amendment rights were violated when he was excessively bodily restrained arbitrarily without justification or hearing or periodic review and the defendants were deliberately indifferent to Plaintiff's medical needs and back injury and extinguished Plaintiff's ability to exhaust by failing to respond to the numerous grievances and Alleges that the Plaintiff would have to accept the response as is and would not be allowed to appeal such to D.O.C. ~~Defendants Barlow, Lewis, Riddle, J.W. Martin, R. Ezell, CCA, Kathy Nij~~

(2) Supporting Facts:

DOJ officials think that they can do what they want without due process of law. Plaintiff was held in disciplinary punitive segregation for excessively long periods of time intentionally and deliberately in retaliation by defendants Barlow, Lewis, Riddle, Martin, Ezell. Plaintiff's placement on 2-25-11 resulted in his segregation placement and prior to placement, the Plaintiff requested a wheelchair several times and made officials aware of his back problem. While being escorted to Fox Bravo Unit Plaintiff's legs gave out, and he collapsed. Plaintiff then was told numerous times to stand up and ~~walk~~ and informed officials that his legs could not move. Official did not notify medical but instead, Warden J.W. Martin instructed officials to pick up the Plaintiff and hold him up, regardless of the risk to further injury and possible paralysis. Plaintiff's incident was recorded on Audio Recorder dated 2-25-11. Again on 3-13-11, officials came to Plaintiff's cell door and told Plaintiff that he had a medical appointment, and took him to satellite medical. Upon arrival at medical, officials never properly notified the Plaintiff that he was being placed in Drill, and upon exiting medical, prison officials implemented an unplanned use of force. This incident was recorded also.

(8)

Defendants R. Ezell, Tim Martin, and William Barlow, CCA

C) (1) Count III: ~~fail to take corrective action to curb the known pattern of abuse and retaliation and harassment against the plaintiff by Defendants Doyle and Lewis. Sgt Riddle and that such threats to plaintiff's health and well being constituted deliberate indifference to plaintiff's safety and contributed to causing plaintiff to be subjected to repeated placement in jail, and being deprived of his legal property in violation of his 8th Amendment Rights and 1st Amendment rights~~

(2) Supporting Facts: ~~and Retaliation~~

Defendants Barlow, Riddle and Lewis, CCA, Martin, Ezell, all participated in the continuous pattern of harassment and retaliation of the plaintiff. Plaintiff has written numerous disciplinary charges in an effort by the CCA to deliberately provoke the Plaintiff to justify using force, such as extreme isolation behind a plexiglass shield door without human contact and without adequate notice of any written charges or disposition of such. Plaintiff further requested the defendants to provide due process hearings in accordance with CCA and DOC policies 401.

Additional Claims Attached to As 401

#### D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? Yes ☐ No ☒ If your answer is "Yes", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)
- a) Parties to previous lawsuit:
- Plaintiffs: \_\_\_\_\_
- Defendants: \_\_\_\_\_
- b) Name of court and docket number \_\_\_\_\_
- c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N A
- d) Issues raised \_\_\_\_\_
- e) Approximate date of filing lawsuit \_\_\_\_\_
- f) Approximate date of disposition \_\_\_\_\_

(9)

(4a) Count IV. Defendants: 11 C.A. 1349-11, Document 1 Filed 11/10/11 CCA Page 30 of 16. Defendants: Ezell, Martin, Riddle, Hininger. deprived the plaintiff of his property without adequate due process of law. Plaintiff's 4th and 8th and 14th Amendment rights were violated when the defendants deliberately placed the plaintiff in Segregation and deprived him of his property before any findings of guilt on the misconducts or alleged offenses. Plaintiff's property, including legal and civil and personal items were destroyed by Sgt Cartwright without adequate due process of law or adequate justification for said deprivation, and plaintiff was provided with any post deprivation remedies. Supporting Facts: Plaintiff's property was taken from him and by the defendants. On each placement in Administrative Segregation, plaintiff was never provided a hearing prior to this deprivation nor had he been found guilty of any misconduct. Defendant Cartwright then destroyed all of plaintiff's camera purchased items without informing of such, she also deprived plaintiff of items which he legally bought and purchased, including several legal manuals and personal books and appliances. Plaintiff submitted (2) property claims to DCF officials which were not responded to by DCF and the Defendant.

(5a) Count V. Defendants: Wickman, Ezell, Martin, CCA, Barlow, Riddle, Williams. denied Plaintiff the Freedom to Exercise his religion in violation of the First Amendment of the U.S. Constitution, Free Exercise Clause. Plaintiff was denied Communal Worship of Islam and that the defendants systematically denied the Plaintiff to hold Islamic Services and purchase Muslim oil and incense to sincerely practice the rites and rituals of his belief. The Plaintiff's 14th Amendment rights were violated. Equal Protection rights were violated when the defendants denied MAX and other offenders the right to attend and hold Islamic Services for 2 1/2 years in violation of PRETEXTUAL LAND USA. Institutionalized Persons Act. Supporting Facts: Plaintiff is a Muslim inmate and since his confinement at DCF he has not been allowed to practice his religion in accordance with the tenets of Islam and the sincerity of his belief for approx 2 1/2 years and Defendants Wickman, and Ezell, Barlow, CCA, Riddle, Williams all colluded to deny the Plaintiff and other muslim offenders, halal food, Fellowship prayer, communal worship and Islamic Services in violation of the First Amendment. Plaintiff has since been denied to participate in Ramadan and Plaintiff's muslim oil was destroyed by

(6a) Count VI. Defendants: Ezell, Riddle, Barlow, Riddle, Williams, Hininger. deliberately violated Plaintiff's 8th Amendment rights by deliberately denying the plaintiff adequate outdoor exercise by disciplining the Plaintiff outside of the disciplinary code or making up unwritten policy and regulations and using tactics that clearly violate established constitutional rights, and using these tactics to deny the plaintiff outdoor exercise and that such amounts to little or no exercise, and denies the plaintiff the minimal of his civilized measures. Supporting Facts: DCF officials have intentionally denied the plaintiff and maximum yard officials adequate outdoor exercise for well over 2 1/2 years. DCF is understaffed and fails to have enough staff to operate daily and that such deficient staffing only has allowed for offenders to have 3 to four hours a week of outdoor exercise, and the conditions of confinement under which the plaintiff is confined is physically barbaric and involves the unnecessary and wanton infliction of pain that is grossly disproportionate to the severity of his crime.

(7a) Count VII. Defendants: Ezell, Martin, Riddle, Barlow, Mitter, Riddle, CCA, were deliberately indifferent to plaintiff's serious medical needs. On 2-25-11 plaintiff while being extracted from his cell by the defendants dutifully informed these officials that he has a degenerative disk in his back and would need a wheel chair. These officials then forced the plaintiff to walk under duress, and plaintiff's back went out and he collapsed on the sidewalk. Defendants refused to provide the plaintiff any medical attention.

(7b) Supporting Facts: On 2-25-11 Plaintiff collapsed while being escorted from medical after sqa evaluation, which was performed by CMA Whitman. Plaintiff requested that officials provide plaintiff with wheel chair. Present he extracted where both defendant Barlow and Defendant Martin. While walking to Fox Bravo,

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Count 9A Defendant Adams, Barlow, Ezell, Henninger, ~~Prinz~~ deprived

of Due Process by refusing to promote the offender as required by D.O.C. policy and maintaining the plaintiff in disciplinary status for excessive long periods of time without legitimate psychological purpose except to punish offender ~~Woodson~~ excessively in violation of the 8th and 14th Amendment, And that the deprivations were significantly and atypically serious enough to rise to the level of a constitutional violation in violation of the 8th Amendment

**Supporting Facts:**

Mr. Woodson was subjected to excessive punishments through the use of an unconstitutional disciplinary process that fails to comply with the standards established in *Walt vs McDowell*. Mr. Woodson was not allowed to cross examine the charging officers in such of these misconducts, and plaintiff was subjected to biased hearing in violation of the Due Process Clause of the 14th Amendment and being held in segregation, deprived of all privileges and property before and without justification and prior incident. Plaintiff made repeated requests to DCF and CCA officials to follow policy and D.O.C. procedures by completely segregating housing orders which DCF and CCA failed to do, and that said excessive confinement was significant and atypical.

Count 9B Defendant Adams violated Plaintiff's 14th Amendment right

to due process of law, by allowing the defendants, et al, to significantly thwart the grievance process ~~and~~ returning Plaintiff's grievances ~~also~~ alleging that the Plaintiff did not attempt Informal Resolution, an unchecked, unmonitored critical first step of the grievance process isn't held accountable to DCF Administration or CCA, which denies the Plaintiff due process

**Supporting Facts:**

The Informal Resolution process is being used by CCA as a first step requirement in order for the inmate to be able to utilize the grievance process. Defendant Adams does not log in these Informal Resolutions, nor is there a procedure in place to ensure that prison officials do not thwart the plaintiff's access to the grievance process by refusing to answer the Informal Resolution within the mandatory 15-day time frame. The plaintiff cannot prove the attempted resolution because the I.R. is not file stamp nor dated when received by STAM and to prevent the offender from filing the grievance. All the officer does is not respond, and the exhaustion process is thwarted, because Defendant Adams returned Plaintiff's grievance and states you fail to attempt resolution or alleging that the plaintiff is not of time.

(Count 10A) Defendants Ezell, Barlow, Henninger, Adams, Martin, CCA violated Plaintiff's

14th Amendment rights by holding him in maximum security placement when the plaintiff only has medium security points. Plaintiff is being held in a high security with harsh restrictions so removed from the ordinary prison life and that said treatment held no legitimate psychological purpose except to impose a significant and atypical hardship on the Plaintiff

**Supporting Facts:** (10B) Violation of the 8th Amendment's cruel and unusual punishment

Plaintiff has been held indefinitely on maximum security without periodic review for release to lower security and has never been provided adequate review to address Plaintiff's continued confinement on maximum security, 23 hour lockdown status. Plaintiff is being deprived of his liberty without due process of law. Plaintiff asserts that his classification and assignment into segregation was erroneous to begin with and that the offender plaintiff never had maximum security points to begin with, and that the liberty interest arises from an expectation of CCA to comply with its contract and D.O.C. through its state law and policies. Plaintiff also has been deprived of his earned "good-time" credits without due process of law, and that such deprivation was significant and atypical and is extending his length of stay in prison.

11(A) Count #11 Defendants Barlow, Goodson, Grizzle, Lewis, Ezell deprived (11)

Plaintiff of his right to be heard, to be properly notified, and the opportunity to be heard when it held several Adjustment reviews on the plaintiff intentionally to deprive the plaintiff of his earned credit and goodtime that he maintain the plaintiff disciplinary status when prison regulations required that plaintiff be notified at least 48 hours in advance in such in violation of Plaintiff's 8th Amendment rights to Due Process of Law

11(B) Supporting Facts: The defendants deliberately held Administrative Adjustment reviews and level demotions on the plaintiff without ever notifying the plaintiff or giving the plaintiff the right to be heard before a decision was reached, said actions were intentional meant to cause harm to the plaintiff by maintaining the plaintiff in harsh confinement and punitive segregation and disciplinary status to deprive him of his earned credit

12(A) Count #12 Defendants Cartwright, Barlow, Lewis, Ezell deprived Plaintiff of Constitutionally entitled property in violation of the Amendment, when Plaintiff books, legal documents were forced to be destroyed when Plaintiff had ongoing criminal and civil appeals pending. Plaintiff's Religious oils were destroyed while Plaintiff Administrative appeals were pending

12(B) Supporting Facts: Plaintiff subscribed to numerous magazines and legal organizations. Plaintiff during unconstitutional placement in Segregation was deprived of several legal books and almost \$300.00 in food items which the Plaintiff purchased from the facility canteen. Plaintiff was forced to destroy numerous magazines, and religious objects that he received through the mail and other additional property including photographs and clothing. Plaintiff watch was also lost and never replaced

13(A) Count 13 Defendants Barlow, Goodson, Coker, Lewis, Martin, Ezell, Hinnerger, were deliberately indifferent and recklessly disregarded plaintiff's safety on 9-26-11 when the Plaintiff requested a cell move to prevent a attack and officials failed to respond to the potential threat and danger that existed in violation of the 8th Amendment

13(B) Supporting Facts: On 9-26-11 Plaintiff informed prison officials that there existed hostility and conflict between offender and Plaintiff and that this Plaintiff needed to be moved immediately to an empty cell, that was a few doors down, and that the defendants ignored Plaintiff's requests due to lack of policy and procedure in place to deal with such and where the Plaintiff was known to be aggressive, and that the defendants disregarded

14(A) Count 14 Defendants Barlow, Riddle, and Carter, Lewis, Goodson, Grizzle violated Plaintiff's First Amendment rights to Freedom of Speech and Free Exercise when Plaintiff was written several disciplinary cases for utilizing the grievance procedure. Plaintiff is suffering retaliation from Unit Team due to Plaintiff involvement in filing legal claims against numerous officials

14(B) Supporting Facts: Plaintiff has been targeted by the defendants for excessive punishment and retaliation based on Plaintiff's continued filing of Administrative grievances against DCF officials. Defendants use policy to abuse and maintain offender Goodson on Maximum Security when there exist no legitimate reasons to do so or for using the grievance process thru a chronology of events aimed at Plaintiff

15(A) Count 15 Defendants Barlow, C.A. Plaintiff Right to Access to the Courts under the Amendments is being violated by DCF officials, who photocopied Plaintiff's complaint and distributed numerous copies to their co-agents and then conspired together to prevent Plaintiff from filing said complaint with the Court.

15(B) Supporting Facts: On 9-11, Plaintiff contacted Unit Clerk Carl Hoover, and submitted a disbursement to pay for 17 copies of the 14 original complaint pages, and provided these officials with a copy of the court's requirement for filing in which these officials state that they called the Court Clerk and was told that the offender only needed 1 copy to begin his lawsuit, and the Court would order additional copies as needed. Plaintiff's lawsuit was not returned to him, and instead distributed to numerous officials and their clerks

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C.  
 Yes ☐ No ☐ . If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

Plaintiff has exhausted all available administrative remedies. The defendants further significantly thwarted Plaintiff's attempts by utilizing an unconstitutional practice by requiring the plaintiff to file a document called an Informal Resolution to any staff at DCF. These documents are not monitored, nor logged in nor file stamped and dated, and if the C/O does not want the offender to seek administrative action, all that the C/O has to do is not respond within the mandatory REQUEST FOR RELIEF time frame, and thwart the grievance process by being non-compliant with the time limit, which forfeits the offender right to file a grievance with the Wardens Office.

- 1) I believe that I am entitled to the following relief:

- A) Issue a declaratory judgement stating that Defendant Riddle  
 ① Defendant Kathy Millers, Ezell, Hinniger, CCA's actions in failing to provide adequate medical care for the plaintiffs back violated and continue to violate the plaintiffs rights under the Eighth Amendment to the United States Constitution.  
 ② Defendant Ezell, Martin, Barlow, Hinniger, CCA, Carter, Goodson, Grizzle, Williamson violated Plaintiff's rights of Due Process and Equal Protection of the Law under the 8th and 14th Amendment to the United States Constitution, when these defendants abused their power to indefinitely maintain the plaintiff in maximum security without adequate justification, and deprived the plaintiff of his right to be heard before a properly convened Classification Committee.  
 ③ Defendants Wideman, Adams, Ezell, Martin's actions in denying Plaintiff the right to practice his religion and restricting his beliefs by using un supported facts to deny Muslim offenders on maximum security to hold religious services and practice their sincerely held beliefs for 5 years violated and continue to violate Plaintiff's First Amendment Rights under the U.S. Constitution.

Signature of Attorney (if any)

Signature of Petitioner

(Attorney's full address and telephone number.)

- ④ Defendants Barlow, Ezell, Martin Riddle, Grizzle, Carter, Goodson ~~to~~ subjected the plaintiff to punishment that was significant and atypical and cruel and unusual in violation of the 8th Amendment of the U.S. Constitution when the plaintiff was maintained in level 1 status without periodic review or due process hearings.

- ⑤ Defendant To Cashwright deprived plaintiff of his property without due process of law and failed to provide plaintiff with adequate post-deprivation remedy even when the plaintiff (CONT ON BACK) sufficiently owned ownership of the items in accordance with policy

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b) Issue An Injunction ordering the defendants Ezell, Barlow, Martin, and Goodson, force on the Plaintiff when these officials knew and were aware that plaintiff has a severe back injury, ~~and that the defendants were aware of the plaintiff's needs for physical therapy, access to wheelchair and single medical cell and continued treatment for pain and suffering~~

c) Issue An Injunction ordering Defendant Cartwright to refrain from destroying plaintiff's property and to reimburse plaintiff in full for every item she destroyed based upon an unconstitutional prison policy

D) Issue An Injunction ordering Defendant Barlow, Grizzle, Goodson, Carter, Ezell, to expunge all disciplinary convictions as a result of the unconstitutional disciplinary process described in the complaint, and finding him guilty of false and fabricated charges in which the plaintiff was not allowed to be heard or cross examine the charging officer, such denying the plaintiff his due process rights under the 14th Amendment to the United States Constitution

E) Issue An Injunction ordering Defendant CCA to properly train its employees in established Constitutional laws dealing in the area of prisoners rights and due process, and prohibit the thrusting of untrained staff into positions for which these employees are not qualified to be in.

F) Award Compensatory Damages in the following amounts

1. \$100,000, jointly and severally against defendants Barlow, Ezell, Ada Kathy Miller, Dr. Reichel, Wideman, Carter, Goodson, Grizzle, Martin, Riddle and Williamson, CCA, Hunniger, for imposing harsh and restrictive conditions of confinement upon the plaintiff and holding plaintiff excessively in punitive segregation for prolonged periods of time, denial of adequate medical care and violating plaintiff's due process rights.

2) \$150,000 jointly and severally against defendants Barlow and CCA, Ezell, Grizzle, Goodson, Carter for the excessive punishment, including deprivation of liberty and amenity, and emotional injury resulting from their denial of due process in connection with plaintiff's excessive confinement in 23 hour lockdown states and failing to properly review plaintiff in accordance with D.O.C. policy for release to lower security even when these defendants had knowledge that the plaintiff never had maximum security points to be maintained in the harsh confinement

3) \$250,000 jointly and severally against defendant Barlow, Ezell, for the punishment and emotional injury resulting from their denial of due process in connection with plaintiff's disciplinary proceedings and depriving the plaintiff of his right to be heard

4) \$13,000,000, against defendant CCA, for mental and emotional injury in subjecting the plaintiff to harsh conditions of confinement and maintaining the plaintiff in punitive segregation for extended periods of time

STATE OF OKLAHOMA )  
 COUNTY OF Hughes )

Marcus D Woodson, being first sworn under oath, states that he/she signed the above application and that the statements therein are true to the best of his/her knowledge and belief.

Signature Marcus D Woodson

Subscribed and sworn to before me this 19 day of April, 20011.

Shanda R. Kilgore  
 NOTARY PUBLIC

My Commission Expires: 12/16/14



(Compensatory Damages Cont)

And failing to notify plaintiff of prior placement and justification for doing such even when they had full knowledge that they were in violation of state law and D.O.C. policy by failing to complete segregation housing orders.

5) \$300,000 Against defendants Ezell, Adams, Cartwright and Wideman for intentional abuse and disregard of the grievance procedure, by severely restricting and denying the plaintiff the right of free exercise of his religion by destroying plaintiff Muslim artifacts and Religious Oils by placing an absolute Ban on maximum inmates to attend and hold religious services in violation of the first Amendment. Plaintiff was further retaliated upon by defendant Wideman who refused the plaintiff to attend and participate in Ramadan and Id, because Chaplain Wideman refused to add the plaintiff to the Ramadan list.

Grant Nominal Damages in the amount of \$1 Against each defendant  
 Grant ANY AND other such damages the Court MAY deem appropriate.

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\_\_\_\_\_  
Attorney's telephone number

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or state) under penalty of perjury that he is the plaintiff in the above action, he has read the above complaint, and the information contained therein is true and correct.  
28 U.S.C. § 1746. 18 U.S.C. § 1621.

Executed at Davis Correctional Facility on 4-19-11  
(Location) (Date)

[Signature]  
(Original Signature of Plaintiff)

Subscribed and sworn before  
me this day of 19 April 2011

